

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO COUNTY FEE  
5 COLLECTION; INCREASING THE FEE AMOUNT FOR RECORDING A STANDARD DOCUMENT; REVISING  
6 THE DISTRIBUTION OF FEES COLLECTED FOR RECORDING A STANDARD DOCUMENT; AND  
7 AMENDING SECTIONS 7-4-2632, 7-4-2635, AND 7-4-2637, MCA."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10  
11 **Section 1.** Section 7-4-2632, MCA, is amended to read:

12 **"7-4-2632. Fee when recording done by mechanical means.** Except as provided in 7-2-2803(4),  
13 whenever recording is done ~~by a~~ using photographic, digital scanning, or similar ~~process~~ processes, the county  
14 clerk and recorder shall charge ~~\$7~~ \$9 for each page or fraction of a page of the instrument for recording."  
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16 **Section 2.** Section 7-4-2635, MCA, is amended to read:

17 **"7-4-2635. Records preservation fund authorized.** (1) The board of county commissioners shall  
18 establish a records preservation fund for the purpose of preserving the records maintained by the county clerk  
19 and recorder. The county clerk and recorder is responsible for expenditures from the fund and shall use the  
20 money for records preservation.

21 (2) The county clerk and recorder shall deposit ~~\$4~~ \$3 of the fee received under 7-4-2632 into the  
22 records preservation fund.

23 (3) The governing body of the county may transfer to the general fund any money in the records  
24 preservation fund that is not needed for records preservation."  
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26 **Section 3.** Section 7-4-2637, MCA, is amended to read:

27 **"7-4-2637. Fees for recording documents.** (1) Except as provided in 7-2-2803(4) and 7-4-2631, the  
28 fee for recording a standard document that meets the requirements of 7-4-2636 is ~~\$7~~ \$9 for each page or

1 fraction of a page.

2 (2) Except as provided in 7-2-2803(4), the fee for recording a document that does not meet the  
3 requirements of 7-4-2636 is the fee specified in subsection (1) plus \$10.

4 (3) (a) Of the fees collected under subsection (1):

5 (i) ~~\$1~~ \$3 must be deposited in the records preservation fund, provided for in 7-4-2635;

6 (ii) 25 cents must be deposited in the county land information account provided for in 7-6-2230;

7 (iii) 75 cents must be transmitted each month to the department of revenue in the manner prescribed  
8 by the department of revenue for deposit in the Montana land information account created in 90-1-409; and

9 (iv) the remainder must be deposited as provided for in 7-4-2511.

10 (b) The fees collected under subsection (2) must be deposited in the records preservation fund  
11 provided for in 7-4-2635."

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